

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
:
-v- : 18-CR-528-1 (JMF)
:
HUBERT DUPIGNY, : ORDER
:
Defendant. :
:
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JESSE M. FURMAN, United States District Judge:

The Court held a telephone conference on the record with counsel in this matter earlier today. The Defendant did not participate in light of counsel's agreement that his participation was not required pursuant to Rule 43(b)(3) of the Federal Rules of Criminal Procedure.

As discussed during the conference:

- In light of the Defendant's unwillingness to waive any potential conflict on the part of defense counsel Aaron Mysliwiec arising from the lien filed in the Defendant's name against counsel, Mr. Mysliwiec is relieved as counsel, with the Court's thanks for his admirable service in this matter;
- The request of Ms. Carine Williams to have Ms. Susan Marcus appointed as counsel of record pursuant to the Criminal Justice Act is GRANTED, and Ms. Williams will remain on the case as Associate Counsel; and
- Any motion for disqualification of the Court based on the lien filed against the Court in the Defendant's name shall be filed by **August 21, 2020, with any** opposition filed within two weeks of a motion, and any reply within one week of the opposition.

Finally, sentencing in this matter is RESCHEDULED to **December 10, 2020, at 3:30 p.m.** in **Courtroom 1105** of the Thurgood Marshall Courthouse, 40 Centre Street, New York, New York 10007. The parties should consult the Court's Individual Rules and Practices for Criminal Cases (available at <https://nysd.uscourts.gov/hon-jesse-m-furman>) for sentencing-related procedures and practices. Consistent with the Court's Rules, the Defendant's sentencing submission shall be served two weeks in advance of the date set for sentencing. The Government's sentencing submission shall be served one week in advance of the date set for sentencing. If a party does not intend to file a substantive sentencing submission, the party should file a letter to that effect.

SO ORDERED.

Dated: July 8, 2020
New York, New York



JESSE M. FURMAN
United States District Judge